

**VILLAGE OF VERNON HILLS
ORDINANCE 2025-092**

**AN ORDINANCE APPROVING VARIATIONS FROM EXHIBIT F, ZONING, OF THE
RIVERTREE MARKETPLACE RPUD (ORDINANCE 563), TO FACILITATE THE
DEVELOPMENT OF A DRIVE-THRU RESTAURANT, GUZMAN Y GOMEZ 701 N.
MILWAUKEE AVENUE UNIT 354**

WHEREAS, the Village of Vernon Hills received a petition by Kimley-Horn and Associates on behalf of Guzman y Gomez, contract lessee, requesting a variation from the zoning regulations for the Rivertree Marketplace Regional Planned Unit Development (RPUD), to facilitate the construction and operation of a drive-through restaurant at the property commonly known as 701 N. Milwaukee Avenue Unit 354, legally described herein; and

WHEREAS, the petition also included a request for a Special Use Permit and variations from the sign code, to be considered under separate ordinances; and

WHEREAS, the Planning and Zoning Commission held a public hearing, duly noticed, on July 23, 2025; and

WHEREAS, the Commission, after consideration of the materials and testimony provided by the petitioner, has filed a report making findings of fact in support of the petition in accordance with the standards listed in Section 21.5 of the Zoning Ordinance, and has recommended approval of the petition as described in Exhibit A (Planning and Zoning Commission report); and

WHEREAS, the Village Board discussed the recommendation of the Planning and Zoning Commission at its meeting on August 12, 2025, concurring with Planning and Zoning Commission; and

WHEREAS, the President and Board of Trustees, having determined that the requested variation is in the best interest of the Village of Vernon Hills and meets the relevant standards contained within the Zoning Code, hereby adopts this ordinance granting a variation from the Zoning Regulations for Rivertree Marketplace RPUD, pursuant to its duty to regulate the uses of land within the Village of Vernon Hills.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE AND STATE OF ILLINOIS:

SECTION 1. The above recitals are hereby incorporated into and made part of this Ordinance.

SECTION 2. Variation Approval. The following variation from the requirements of Exhibit F, Zoning, of the Rivertree Marketplace RPUD (Ord. 563), for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, zoned B-1 (General Business District), and

legally described in Section 3 of this Ordinance, and as described in the application by Kimley-Horn and Associates on behalf of Guzman y Gomez, dated July 9, 2025, and illustrated on the Zoning Variance Exhibit by Kimley Horn Associates, last revised June 16, 2025, attached hereto as **Exhibit B**, is hereby approved:

1. Section J(5), to permit a rear parking setback of 5.0' (10.0' required).

SECTION 3. Legal description. The variation granted in Section 2 shall apply to the property legally described below:

PARCEL 1:

LOT 5 IN HAWTHORNE II RETAIL CENTER AMENDED AND RESTATED, BEING A SUBDIVISION OF PART OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 44 NORTH, RANGE 11 AND PART OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORD DECEMBER 17, 1987 AS DOCUMENT NUMBER 261246, IN LAKE COUNTY ILLINOIS.

PARCEL 2:

EASEMENT OF INGRESS AND EGRESS TO FROM PARCEL 1 ON, OVER AND ACROSS THE EXISTING "RING ROAD" AND THE "ENTRANCE MAGAZINE" OF THE SHOPPING CENTER AS GRANTED BY DOCUMENTS RECORDED OCTOBER 21, 1988 AS NUMBER 2733058 AND 2733059 OTHERWISE KNOWN AS OUTLOTS 1 AND 5 RIVERTREE SHOPPING CENTER, VERNON HILLS, ILLINOIS.

SECTION 4. SEVERABILITY. In the event that any section, clause, provision, or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

SECTION 5. REPEAL AND SAVINGS CLAUSE. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions or causes of action which shall have accrued to the Village of Vernon Hills prior to the effective date of this ordinance.

SECTION 6. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION 7. ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2025-092.

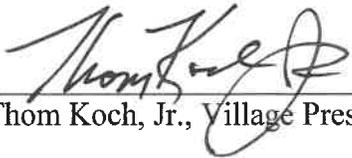
[Signature Page to Follow]

Adopted by roll call vote as follows:

AYES: 4 – Marquardt, Schenk, Lundeen, Koch

NAYS: 0 - None

ABSENT AND NOT VOTING: Forster, Oppenheim, Takaoka


Thom Koch, Jr., Village President

PASSED: 08/12/2025

APPROVED: 08/12/2025

ATTEST: 08/12/2025


Kevin Timony, Village Clerk



EXHIBIT A

Planning and Zoning Commission
Findings of Fact and Recommendation

Case 2025-10: Zoning Variation to facilitate the construction of
a Restaurant with Drive-Through

Guzman y Gomez
701 N. Milwaukee Avenue Unit 354

Planning and Zoning Commission – Meeting Minutes
July 23, 2025 - 7:30 p.m.

I. Call to Order and Roll Call

Chairman Morris called the meeting to order at 7:30 PM.

Attendance: Chairman Morris and Commissioners, Fluno, Heidner, Lis, and Nabat were present. Commissioner Cotton and Smith had given prior notice of their absence.

Also attending: Andrew Jennings, Director of Community Development.

II. General Public Comment

No one from the public came forward to speak.

III. Items for Review

Chairman Morris called for the opening of the following public hearing:

1. **Public Hearing for Case #2025-10.** A petition filed by Kimley-Horn and Associates Inc. on behalf of Guzman y Gomez, contract lessee, requesting the following actions to facilitate the construction and operation of a drive-through restaurant at 701 N. Milwaukee Avenue, Unit 354: (1) a Special Use Permit for a restaurant with a drive-through in accordance with Appendix C, Zoning, of the Village of Vernon Hills Code of Ordinances, Section 13.3, Special Uses in the B-1 District, and Section 18.3 (Special Uses); (2) a variation from the requirements of the Rivertree Marketplace Regional PUD (Ordinance 563) to reduce the rear parking setback; and (3) variations from the requirements of Chapter 19, Signage, per Section 21.5 of the Zoning Code.

ALL PERSONS PROVIDING TESTIMONY WERE SWORN IN

Kelsea Neal Nolot (Elrod Friedman, project attorney), Jason Trombley (Guzman y Gomez), Paul Rzewuski (Elevate Signs), and Ian Spence (Kimley-Horn Associates, project engineer) were present on behalf of the petition and sworn in.

Ms. Neal Nolot introduced the project team. She stated that the request related to the former Top Fitness building near the southeast corner of Route 60 and Milwaukee Avenue in Rivertree shopping center. Guzman y Gomez is proposing to demolish the existing building and construct a new 2,406 sq ft restaurant with a drive-thru, outdoor patio, and adequate parking to serve the customers. She noted that the project team was worked through several iterations of the plan with the Village staff to develop the proposal presented to the Commission. Many of the staff recommendations had been incorporated, reducing the scope of the relief, improving traffic flow, shifting the building south, and updating landscaping and signage. The changes have allowed them to increase parking on the site.

Ms. Neal Nolot stated that they believe they've met the standards for a special use and variations, and the project complements surrounding uses and is consistent with the intent of the zoning code.

Mr. Trombley, head of US development for Guzman y Gomez, stated that he has been targeting a location in Vernon Hills for almost 10 years. They started with the former Denny's (now Wild Fork and Cava). He lives nearby and is frequently in Vernon Hills with his family. From experience he believes there is a demand for more drive-thrus in the community, and the subject location is a great opportunity to introduce the Guzman y Gomez to the area.

Mr. Trombley provided an introduction to the business. The founder is originally from New York, but moved to Australia and found it lacking in Mexican food. He worked with the best chefs from Mexico and best business consultants and restaurant consultants to come up with Guzman y Gomez. Australians didn't understand Mexican food at first, but it took off after the fifth store and now there are 240 locations in Australia and Southeast Asia. The 7th US store opened last week in Des Plaines. They plan to open 15-20 to prove the concept then expand. The goal is to be the biggest and best restaurant company in the world.

Mr. Spence provided an overview of the site plan. They have gone through several versions and believe the current plan is best suited for the site. At the Committee of the Whole, there was a desire to maintain the 60 foot setback to keep the sight triangles open and match the other buildings. They have also included a bypass lane and reduced the size of the building, both differing from the prototypical Guzman y Gomez development.

Mr. Spence stated that he is not a landscape architect but he has worked closely with the team on the landscape plan.

Commissioner Heidner requested clarification on the size of the building as shown on the plan. Director Jennings noted that there is an incorrect label repeated on multiple sheets. The correct building size is 2,406 sq ft. The size shown is 2,406 sq ft; the label is incorrect.

Mr. Spence explained that the majority of plants are native species, and displayed the photo palette for the landscape plan. The full site would be irrigated.

Chairman Morris referred to the island between the two ordering lanes. He asked how customers would know they should begin to merge into a single lane after ordering. He compared it to other similar locations which include signage or striping.

Ms. Neal Nolot agreed that they could look into possible options.

Chairman Morris questioned the elevation of the drive-thru compared to Townline Road.

Mr. Spence stated that there is about 10 ft of fall from west to east. The sidewalk is about 6 inches above the drive-thru, and the area to the west is much higher.

Chairman Morris asked whether there would be sufficient screening for Townline Road as the drive-thru vehicles turned west.

Mr. Spence explained that they had intended to limit disturbance on the north due to the mature trees.

Chairman Morris clarified that he is asking about the area closer to the drive-thru.

Commissioner Fluno suggested that a landscape bed with 2-3 foot tall vegetation would be enough to screen the headlights.

Chairman Morris asked for the dimensions of the parking stalls and Mr. Spence stated that they are 9 x 20 with the overhang.

Mr. Rzewuski introduced the sign package. He displayed the north elevation. He noted that they had made substantial modifications as suggested by Staff, removing 6 exterior signs. They believe it is balanced and consistent with the branding that they are trying to roll out in a very competitive environment.

Chairman Morris asked for a description of the variances. Ms. Neal Nolot explained that they are requesting a variation for more than one sign per frontage and total square footage. She believes that they are proportional to the wall sizes. Mr. Rzewuski noted that the sign code calculation is a box, so there is a lot of dead space inside that box.

Ms. Neal Nolot described the south elevation. It would require similar variations: the logo would exceed the maximum size, they are proposing more than one sign, and the total sign area exceeds the maximum allowed.

Commissioner Heidner asked how the building size would compare to the existing fitness building. Ms. Neal Nolot said the new building would be smaller.

Commissioner Heidner asked how the building size would compare to the recently opened locations. Mr. Trombley said that Buffalo Grove is also 2,400 sq ft and Des Plaines is 2,600 sq ft.

Ms. Neal Nolot described the east elevation. It would require the same three variations.

Mr. Rzewuski described the directional signage. They are requesting the typical branded signage. The monument sign should comply with the code.

Commissioner Heidner asked if there is an existing monument sign for Top Fitness. Mr. Spence said that there is a shopping center sign. Mr. Trombley said that they are trying to match the First American Bank sign to the west.

Commissioner Heidner asked whether they would have access to the mall sign, and Mr. Trombley stated they would not because it is a different owner. Director Jennings noted that the separate ownership had been a challenge during Technical Review. Everything is set up to protect the main shopping center to the east. Mr. Trombley added that the outlot landlord and shopping center landlord get along now but that might not always be the case.

Commissioner Heidner asked whether they would own the facility. Mr. Trombley stated that would own the building with a ground lease. The project team concluded its presentation.

Director Jennings explained to the Commission that he had included a new section in the staff report that was intended to help transition from the Technical Review to the public hearing. He summarized the following points:

- Comment at Committee of the Whole suggesting that building should be rotated. Before moving on to Technical Review staff asked them to go through the exercise and provide an assessment. They concluded that it created negative impacts on congestion and reduced parking. We concluded that it created negative impacts.
- Traffic flow. They don't have authority to place signs off the site, but they are working to possibly add Do Not Block Intersection signs.
- Pedestrian access. Staff pushed for a connection but they were not able to find a safe location. Chairman Morris asked if they could access from the east. Director Jennings stated that they can't work off the property.
- Landscape updates. They made changes as requested, including additional winter interest.
- Signage. They made significant reductions to the sign package.

Ms. Neal Nolot noted that they have material samples, and they provided the samples for Commissioners to review.

Commissioner Heidner asked whether the patio is enclosed. Mr. Trombley stated that it is covered but not enclosed.

Director Jennings noted a comment in the staff report regarding the trash enclosure gates. He asked whether they were a finished gray or gray because they are galvanized. The Village preference is that they are pre-finished so they aren't trying to paint galvanized.

Mr. Spence reviewed the elevations. He explained that the mesh sample provided would be painted black as shown on the elevation.

Commissioner Fluno asked for the separation between the mesh and the brick. He is concerned that a larger gap would encourage birds to nest. Mr. Trombley stated he had never seen that happen.

Director Jennings asked if the photos of other locations included the materials. Ms. Neal Nolot agreed to find an example.

Commissioner Fluno noted that the Buffalo Grove location didn't have as much bright yellow as what was proposed. Mr. Trombley said that Buffalo Grove is not typical, most have more yellow.

Commissioner Fluno stated that the design might stand out and may be too much for the location. Mr. Trombley said that Buffalo Grove is an older design, and that as the business matures they want to established the real feel of the brand. Ms. Neal Nolot referred to the elevation drawing, noting that the Townline elevation would have less yellow brick due to the location of the mural.

Mr. Trombley referred to the Buffalo Grove photos and noted that the yellow canopies were to get the character of the Australia locations. Commissioner Fluno didn't object to the use of yellow; he clarified that the difference between the two was dramatic and through Vernon Hills should be toned down.

Chairman Morris requested an explanation of the Staff report with regard to the calculation of signage. He asked for the impact of the murals and the difference between the proposed signs and maximum permitted. Director Jennings notes that the murals account for most of the square footage on the north and west elevations. Without the murals the signs are must closer to the maximum permitted signage. Other murals in the Village are part of a PUD approval so the specific variation amount isn't necessarily calculated. If the Commission's interpretation is that the murals are part of the building design and not signage, they could be removed from the calculation.

Chairman Morris referred to the amount of variation on the east, which does not have a mural. Director Jennings explained that the maximum 1:1 sign area only applies to one side of the building; the others are limited to 0.5:1. Staff is considering an update to the code and signage for multi-sided buildings is one of the issues to be included. Mr. Rzewuski added that 1:1 is lower than other towns, and decreasing that by half is very unusual.

Chairman Morris asked whether there is a concern with the precedent. Director Jennings said that each variation must meet the standards. He stated that the murals are a large part of the variation. Commissioner Heidner said that the Commission didn't have a problem with the last mural.

Chairman Morris said that he wasn't concerned with the mural but felt the signage on the east elevation was disproportional on the small side of the building. Ms. Neal Nolot noted that the east side is important because it would face the main shopping center driveway.

Commissioner Fluno asked which element, text or logo, was more important. Mr. Trombley said that both are important. Mr. Rzewuski noted that the monument sign is only six feet tall, making the wall signs critical.

Commissioner Lis noted that Taco Bell was recently limited to the logo on one elevation and Commissioner Fluno added that Raising Cane's was also asked to remove signage.

Commissioner Lis was in favor of the mural being considered artwork rather than signage. The other Commissioners were in agreement.

Commissioner Nabat was in favor of allowing the company to have both signs. Commissioner Heidner preferred to limit each elevation to one sign.

Mr. Trombely stated that there are several signs typically included on their buildings that had been removed from the sign package. Director Jennings added that the sign package had been reduced prior to the meeting, unlike Raising Cane's which reduced the package at the meeting.

Chairman Morris asked for the sign area calculation with and without the mural. Director Jennings said that it would reduce the area from 325 sq ft to 94 sq ft. Chairman Morris said that 94 is much closer to the permitted area of 78 sq ft.

Chairman Morris asked whether it made sense to have a full access drive so close to the main entrance drive. Director Jennings explained that Staff's concern was the length of the queue for the light. When Staff reviewed the traffic flow it was determined that it was possible to exit at Milwaukee or loop around the lot. Ms. Neal Nolot added that the traffic study explains that the capacity of the drive-thru is larger than the anticipated demand. They don't believe it will spill out to the drive aisles. Director Jennings said that the traffic study uses a 50/50 split of drive-thru customers because that is the projected future demand.

Chairman Morris requested comments from the Commission.

Commissioner Lis was in favor of the concept but was disappointed at the lack of pedestrian access. She asked what options were considered. Mr. Spence stated that there is a segment of sidewalk to the east but there isn't a walkway throughout the center.

Commissioner Lis thought that there was adequate space between the parking lot and the entrance drive for the shopping center. Mr. Spence noted that there are utility easements, a significant grade change, and existing trees in that area. They don't plan to disturb the existing condition. Ms. Neal Nolot added that the pedestrians would need to cross the drive-thru.

Commissioner Lis explained that the crossing could be moved further south. Mr. Spence stated that it would not be ideal from a safety perspective to encourage pedestrians to cross the main entrance to the site. Director Jennings added the slope was also an issue – a retaining wall would be required. Mr. Spence said that Lake County Public Works would not be in favor of retaining walls in the easement. There are 6-7% slopes; this site is challenging.

Commissioner Lis stated that they have an opportunity to make changes because they are demolishing the building. Mr. Spence said that they are trying not to disturb the utility easements or remove existing mature trees.

Mr. Trombly had obtained a picture of the mesh screen from the design office in Australia. He showed the picture to the Commission and stated that the mesh is about 6 inches from the wall. It mutes the yellow color.

Commissioner Fluno asked if the mesh and brick are painted. Mr. Trombley said both are painted. The mesh is painted before it is brought to the site.

Chairman Morris asked for the hours of operation. Mr. Trombley said the hours are 7AM – 11AM.

Commissioner Fluno asked about the landscape plan. Mr. Spence said that Kimley-Horn had done several projects in Vernon Hills, and is using native plants to reduce maintenance. Commissioner Fluno clarified that he was asking about the intent of the design, clean vs. wilder. Mr. Trombley said they defer to the consultants who have done projects in town.

Commissioner Fluno suggested replacing the potentilla, increasing the use of ornamental grasses, planting the island by the menu boards, and connecting the two beds in the northwest corner of the site. He also asked that they confirm the mulch would be natural shredded hardwood mulch.

Commissioner Fluno asked how the Village reviews plant spacing and if there are minimum standards. Director Jennings said that the landscape technician handles the review, and he believes there are standards that apply.

Commissioner Lis asked whether both exit lanes were needed after the drive-thru window. Mr. Trombley said that the area is used for staging if an order is taking longer than expected.

PUBLIC NOTICE

Chairman Morris noted that notice had been provided as described in the Staff report. Director Jennings confirmed that no comments had been received.

Chairman Morris noted that the responses to the Standards for a Special Use in Section 18.3 and the Standards for a Variance in 21.5 had been provided in the staff report and were part of the record.

THE HEARING WAS OPENED FOR PUBLIC COMMENT

Chairman Morris opened the hearing to public comment. No one from the public was present to speak, and public comment was closed.

DISCUSSION OF RECOMMENDATION

Chairman Morris stated that there are multiple motions. The first is for zoning variations.

Chairman Morris stated there is a standing motion by the Chair to approve and referred to the conditions of approval:

- Finish the trash enclosure in gray rather than galvanized metal
- Work with staff on striping and signage at the merge of the drive-thru
- Landscape plan changes as discussed: extend the landscape bed in the northeast corner to the west, to replace potentilla with a different species, to increase the use of ornamental grasses, to add plants to the drive-thru island, to specify the use of natural hardwood mulch, and to connect the planting beds in the northwest corner.
- Investigate options for pedestrian access.

Chairman Morris asked whether the Commission should specify the type of signage or striping at the merge. Director Jennings said that he would be comfortable working with the petitioner.

Chairman Morris referred to the draft motion from the staff report relating to the zoning variation and requested a second. Commissioner Nabat seconded the motion. There being no further discussion, the Commission voted on the motion as follows:

Make Findings of Fact and Recommend Approval of the following variations from Exhibit F, Zoning, of the Rivertree Marketplace RPUD (Ord. 563), for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Zoning Variance Exhibit by Kimley Horn Associates, last revised June 16, 2025:

1. Section J(5), to permit a rear parking setback of 5.0' (10.0' required).

AYES: Fluno, Heidner, Lis, Morris, Nabat

NAYS:

ABSENT: Cotton, Smith

PRESENT:

Motion approved (5-0, 2 absent).

Chairman Morris referred to the draft motion from the staff report relating to the special use for a drive-thru with associated site plan, landscape plan, and architectural approval, with the aforementioned conditions. Commissioner Fluno seconded the motion.

There being no further discussion, the Commission voted on the motion as follows:

Make Findings of Fact and Recommend Approval of a Special Use for a Restaurant with a Drive-Through, with associated site plan, landscape plan, and architectural approval, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Article 18 (Special Use Standards), Section 21.6 (Special Use Procedures), and Exhibit F, Zoning, of the Rivertree Marketplace RPUD (Ord. 563), as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, in accordance with the following plans and exhibits:

- Project Narrative / Statement of Effect
- Civil Engineering plan set by Kimley Horn and Associates, last revised 6.16.25
- Landscape Plan by Kimley Horn and Associates, last revised 6.16.25
- Architectural Drawings by Aria Group, last revised 6.16.25
- Lighting Plan by WT Group, Sheet E100, not dated

And with the following conditions of approval:

1. The trash enclosure gate shall be finished in gray, rather than gray-colored galvanized metal.
2. The petitioner shall work with staff on striping and signage at the merge of the drive-thru
3. The landscape plan shall be updated as follows: extend the landscape bed in the northeast corner to the west, to replace potentilla with a different species, to increase the use of ornamental grasses, to add plants to the drive-thru island, to specify the use of natural hardwood mulch, and to connect the planting beds in the northwest corner.
4. The petitioner shall investigate options for pedestrian access.

AYES: Fluno, Heidner, Lis, Morris, Nabat

NAYS:

ABSENT: Cotton, Smith

PRESENT:

Motion approved (5-0, 2 absent).

Chairman Morris asked whether the PUD has additional sign regulations. Director Jennings said that he did not see anything in the PUD that would regulate signage.

Chairman Morris requested consensus regarding the inclusion of the murals in the sign calculation. Commissioners Fluno and Nabat stated they would exclude the murals. The other Commissioners were in agreement.

Commissioner Lis asked if it would change how murals are reviewed. Director Jennings said that he would still bring them to the Commission for an interpretation.

Chairman Morris suggested taking the sign variation as separate motions by elevation.

North Elevation

Chairman Morris referred to the motion in the Staff report, specifically for the north elevation facing Townline Road. Commissioner Lis seconded the motion.

Commissioner Heidner stated that he is not in favor of logos along with identification signs.

There being no additional discussion, the Commission voted on the motion, as follows:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Guzman y Gomez Sign Package by Elevate Sign Group, North Elevation, last revised July 15, 2025:

- 19-3c4a: To permit a logo that exceeds the height of the sign text;
- 19-3c6a: To permit more than one sign on the elevation;
- 19-3c6a: To permit signage in excess of the maximum permitted (94.9 sq ft vs. 78 sq ft permitted).

AYES: Fluno, Lis, Morris, Nabat

NAYS: Heidner

ABSENT: Cotton, Smith

PRESENT:

Motion approved (4-1, 2 absent).

South Elevation

Chairman Morris referred to the motion in the Staff report, specifically for the south elevation. Commissioner Lis seconded the motion.

There being no additional discussion, the Commission voted on the motion, as follows:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Guzman y Gomez Sign Package by Elevate Sign Group, South Elevation, last revised July 15, 2025:

- 19-3c4a: To permit a logo that exceeds the height of the sign text;
- 19-3c6a: To permit more than one sign on the elevation;
- 19-3c6a: To permit signage in excess of the maximum permitted (94.9 sq ft vs. 39 sq ft permitted).

AYES: Lis, Nabat

NAYS: Heidner, Fluno, Morris

ABSENT: Cotton, Smith

PRESENT:

Motion failed (2-3, 2 absent).

East Elevation

Chairman Morris referred to the motion in the Staff report, specifically for the east elevation. Commissioner Nabat seconded the motion.

Chairman Morris stated that he found the sign for the east elevation to be disproportionate. There being no additional discussion, the Commission voted on the motion, as follows:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Guzman y Gomez Sign Package by Elevate Sign Group, East Elevation, last revised July 15, 2025:

- 19-3c4a: To permit a logo that exceeds the height of the sign text;
- 19-3c6a: To permit more than one sign on the elevation;
- 19-3c6a: To permit signage in excess of the maximum permitted (94.9 sq ft vs. 17.5 sq ft permitted).

AYES: Lis, Nabat

NAYS: Heidner, Fluno, Morris

ABSENT: Cotton, Smith

PRESENT:

Motion failed (2-3, 2 absent).

West Elevation

Chairman Morris referred to the motion in the Staff report, specifically for the west elevation. He noted that the square footage would exclude the mural as previously discussed. Commissioner Fluno seconded the motion.

Chairman Morris stated that he found the sign for the east elevation to be disproportionate. There being no additional discussion, the Commission voted on the motion, as follows:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Guzman y Gomez Sign Package by Elevate Sign Group, West Elevation, last revised July 15, 2025:

- 19-3c6a: To permit more than one sign on the elevation;
- 19-3c6a: To permit signage in excess of the maximum permitted (67.3 sq ft vs. 17.5 sq ft permitted).

AYES: Fluno, Heidner, Lis, Morris, Nabat

NAYS:

ABSENT: Cotton, Smith

PRESENT:

Motion approved (5-0, 2 absent).

Ms. Neal Nolot requested clarification on the south and east elevations. She questioned which aspect of requested relief led to the denial. Commissioner Fluno stated that his vote was due to the size as shown. The sign could be changed.

East Elevation – Discussion of Reduction

Mr. Rzewuski stated that he agreed the east elevation sign was disproportional. He asked whether the text could be reduced by 20%. Director Jennings said that a second motion could be made on the same elevation. He asked if Mr. Rzewuski would be able to determine the letter height and confirm it would be legible. Mr. Rzewuski said that the sign width would be 14.5 ft. The text would be reduced from 67 to 53.6 sq ft.

Commissioner Heidner asked for the size of the logo. Mr. Rzewuski said it is about 27 sq ft but noted that includes space around the circle.

Chairman Morris clarified that the total square footage would be 80, not 53.

Chairman Morris referred to the motion in the Staff report, specifically for the east elevation with the text size reduced by 20%. Commissioner Fluno seconded the motion. There being no additional discussion, the Commission voted on the motion, as follows:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Guzman y Gomez Sign Package by Elevate Sign Group, East Elevation, last revised July 15, 2025, reducing the text by 20%:

- 19-3c4a: To permit a logo that exceeds the height of the sign text;
- 19-3c6a: To permit more than one sign on the elevation;
- 19-3c6a: To permit signage in excess of the maximum permitted (81.2 sq ft vs. 17.5 sq ft permitted).

AYES: Lis, Nabat, Fluno

NAYS: Heidner, Morris

ABSENT: Cotton, Smith

PRESENT:

Motion approved (3-2, 2 absent).

Directional Signs

Chairman Morris referred to the motion in the Staff report, specifically for the directional signs.

Director Jennings explained that directional signs are exempt. When a business proposes directional signs that deviate from the guidelines, they are processed as a variation. Commissioner Fluno asked for discussion of the monument sign once the other votes were complete.

Commissioner Fluno noted that the plant material would block the “drive-thru” text on the monument sign. Ms. Neal Nolot suggested decorative grasses. Director Jennings said that he could add the condition to the special use based on the recommendation rather than make a new motion.

Mr. Trombley requested a discussion of the south elevation. Chairman Morris agreed but said that the Commission would handle the directional signs first. Commissioner Nabat seconded the motion.

Commissioner Heidner stated that the signage is excessive; the logo is not needed. Commissioner Lis asked if this had been approved before. Director Jennings said that Guidepost Montessori had logos approved.

There being no additional discussion, the Commission voted on the motion, as follows:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Guzman y Gomez Sign Package by Elevate Sign Group, Directional Signs, last revised July 15, 2025:

- 19-5(3): To permit directional signs in excess of 3 sq ft and including business identification graphics.

AYES:, Nabat, Fluno, Morris

NAYS: Heidner, Lis

ABSENT: Cotton, Smith

PRESENT:

Motion approved (3-2, 2 absent).

Monument Sign

Chairman Morris requested discussion on the monument sign. Commissioner Fluno said he didn't find it necessary with all the building signage. Commissioner Heidner said that including the “drive-thru” line was inappropriate for a monument sign.

Mr. Trombley said that there is research supporting the benefit of including “drive-thru” on the sign. Commissioner Fluno said it is clearly visible. Mr. Trombley said it is a significant advantage because there are relatively few drive-thrus.

Chairman Morris requested a poll; a vote of “no” would be a vote to not include the drive-thru. Commissioner Fluno seconded the motion.

Yes (include “drive-thru” text on monument sign): Nabat, Lis

No (remove “drive-thru text”): Heidner, Fluno, Morris

Consensus (3-2, 2 absent) to recommend “drive-thru” text be removed from monument sign..

South Elevation – Discussion of Modifications

Mr. Trombley explained that they had voluntarily removed a lot of signs that they would typically have on the building. Mr. Rzewuski added that the south wall of the building would be plain without an additional sign.

Commissioner Fluno asked if they would consider moving the text to the right and making it black. Mr. Rzewuski said they need to keep the text, but they could add something to the right side. Mr. Trombley suggested the “breakfast lunch dinner” sign. Mr. Rzewuski said that the illuminated circular logo at the top of the wall could be replaced with a lower non-illuminated sign to provide some interest to the blank wall. He showed an image to the Commissioners. The signs that were removed identified products and features of the business that are critical since the brand is new to the US.

Mr. Fluno asked who the individuals on the logo were. Mr. Trombley said they were childhood friends of the founder.

Commissioner Nabat agreed that something was needed on the right side to balance the building. Mr. Trombley requested consideration for a descriptive sign. He is more concerned about the messaging.

Chairman Morris asked the petitioner to identify a proposal for consideration. Mr. Rzewuski requested the “breakfast lunch dinner” sign. Commissioner Nabat asked how it was applied to the wall, and Mr. Rzewuski said it would be cut out letters. Ms. Neal Nolot showed the image to the Commissioners.

Commissioner Fluno said that the building has strong horizontal lines, and he would prefer the letters to match that rather than be tilted as shown. Mr. Trombley confirmed that they would like consideration of the “breakfast lunch dinner” sign.

Chairman Morris explained that the current motion for the south elevation would be to replace the circular logo with the “breakfast lunch dinner” sign provided at the hearing. Mr. Rzewuski noted that it would be non-illuminated and 41.7 sq ft. to the motion in the Staff report, specifically for the south elevation. Commissioner Nabat seconded the motion.

Commissioner Fluno asked if the text would remain slanted. Mr. Trombley said that they angle is the trademarked sign.

There being no additional discussion, the Commission voted on the motion, as follows:

Make Findings of Fact and Recommend Approval of the following variations from Chapter 19, Signs, for the property located at 701 N. Milwaukee Avenue Unit 354, Vernon Hills, Illinois, as required by Section 21 (Variations), as described in the application by as described in the application by Guzman y Gomez Mexican Restaurant, dated July 9, 2025, and illustrated on the Guzman y Gomez Sign Package by Elevate Sign Group, South Elevation, last revised July 15, 2025, replacing the circular logo with the “breakfast lunch dinner” non-illuminated sign, 41.7 sq ft in area:

- 19-3c6a: To permit more than one sign on the elevation;
- 19-3c6a: To permit signage in excess of the maximum permitted (109.0 sq ft vs. 39 sq ft permitted).

AYES: Lis, Nabat

NAYS: Heidner, Fluno, Morris

ABSENT: Cotton, Smith

PRESENT:

Motion failed (2-3, 2 absent).

Mr. Rzewuski asked whether Commissioner Fluno would support the sign with straightened text. Commissioner Fluno indicated that he would. Director Jennings stated that the recommendation would go to the Board with that explanation. Since the August 12th meeting is the only meeting in August he will most likely request a vote in the same meeting rather than starting with the Committee of the Whole.

THE PUBLIC HEARING WAS CLOSED AT 9:21 PM.

IV. Approval of Minutes

- a. Planning & Zoning Commission minutes March 19, 2025
- b. Planning & Zoning Commission minutes April 2, 2025
- c. Planning & Zoning Commission minutes April 23, 2025

Chairman Morris stated there is a standing motion to approve, and that several modifications to the minutes, including typos and missing words, had been provided to Staff. Commissioner Fluno seconded the motion. The motion was approved by voice vote.

V. Development Review

Director Jennings provided updates on the following items:

- Yard House open
- Hacienda Real open
- Kiddie Academy work has begun; groundbreaking held this week
- Permit issued for grocery store at former Bed Bath & Beyond (Farmers Best, also operating as Cermak Produce elsewhere)
- Permit for Mall Drive relocation approved; part of the Phase II project
- Qdoba permit review underway (former Game Stop)
- Raising Cane's permit review underway
- Nest permit review underway
- Next phase of mall redevelopment anticipated for August 27th public hearing

Commissioner Lis asked about recent closures. Director Jennings confirmed that Uncle Julios and On The Border had closed. The Guidepost property was sold to a different operator, Children's Land.

Commissioner Nabat asked for an update on the mall. Director Jennings said that there is a new marketing team, and there is interest in the exterior facing units in Phase II. He said that they are still negotiating with First Watch for the remaining Milwaukee outlot.

VI. Adjournment

With no further items on the agenda, Chairman Morris moved to adjourn. Commissioner Heidner seconded. The motion was approved by a voice vote.

The meeting adjourned at 9:26 PM.

Respectfully submitted,

Andrew Jennings
Director of Community Development

Distribution:
President and Board of Trustees
Village Manager/Village Clerk
Commission Members

Approval Date

Chairman Morris

Secretary Heidner

EXHIBIT B

Plans and Exhibits

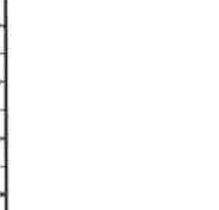
Case 2025-10: Zoning Variation to facilitate the construction of
a Restaurant with Drive-Through

Guzman y Gomez
701 N. Milwaukee Avenue Unit 354

Kimley-Horn
 9023 KIMLEY-HORN AND ASSOCIATES, INC.
 700 WEST 12TH STREET
 SUITE 200
 DENVER, CO 80202
 TEL: 303.733.8600
 WWW.KH-VA.COM

SCALE: AS NOTED
 ORDERED BY: JTA
 DRAWN BY: TJC
 CHECKED BY: NS

REVISIONS
 DATE: 09/18/25
 JTA
 REVISD PER VILLAGE COMMENTS

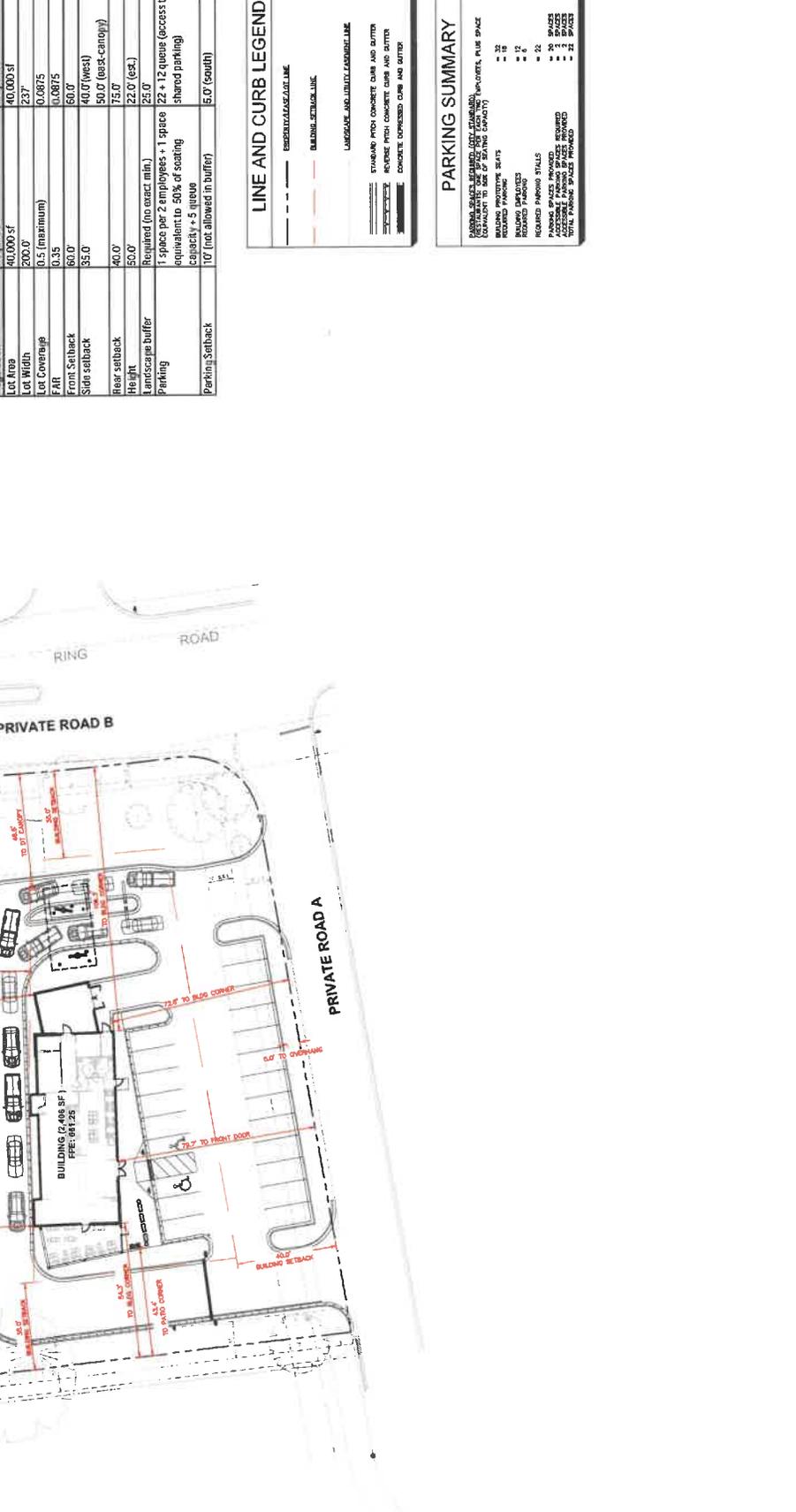


- GENERAL NOTES**
1. ALL DIMENSIONS REFER TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING FINISH.
 3. VERIFY ALL DIMENSIONS, ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
 4. ROAD ADJACENT TO PARKING STALL AND NOT DIMENSIONED ON THE PLAN SHALL BE 3-FEET TYPICAL.

Regulation	Required	Proposed
Lot Area	40,000 sf	40,000 sf
Lot Width	200.0'	237'
Lot Coverage	0.5 (maximum)	0.0875
FAR	0.35	0.0875
Front Setback	60.0'	60.0'
Side setback	35.0'	40.0' (west) 50.0' (east-canopy)
Rear setback	40.0'	75.0'
Height	35.0'	22.0' (est.)
Landscape buffer	Required (no exact min.)	22' x 12' queue (access to shared parking) equivalent to 50% of seating capacity + 5 queue
Parking	1 space per 2 employees + 1 space equivalent to 50% of seating capacity + 5 queue	72 + 12 queue (access to shared parking) equivalent to 50% of seating capacity + 5 queue
Parking Setback	10' (not allowed in buffer)	5.0' (south)

- LINE AND CURB LEGEND**
- FUTURE SIDEWALK LINE
 - BUILDING SETBACK LINE
 - LANDSCAPE AND UTILITY LANDSCAPE LINE
- STANDING WITH CONCRETE CURB AND BUTTER
 REVERSE WITH CONCRETE CURB AND BUTTER
 CONCRETE DIMENSIONED CURB AND BUTTER

- PARKING SUMMARY**
- TOTAL SEATING CAPACITY: 100
 SEATING CAPACITY PER 2 EMPLOYEES: 50
 CONFORMANCE TO SIZE OF SEATING CAPACITY: 100%
- | Category | Count |
|------------------------------------|-------|
| REQUIRED PARKING | 72 |
| REQUIRED PARKING SPACES | 12 |
| REQUIRED PARKING SPACES PROVIDED | 20 |
| ACCESSIBLE PARKING SPACES PROVIDED | 1 |
| TOTAL PARKING SPACES PROVIDED | 21 |



VILLAGE OF VERNON HILLS

ORDINANCE NO. 2025-092

AN ORDINANCE APPROVING VARIATIONS FROM EXHIBIT F, ZONING, OF THE RIVERTREE MARKETPLACE RPUD (ORDINANCE 563), TO FACILITATE THE DEVELOPMENT OF A DRIVE-THRU RESTAURANT, GUZMAN Y GOMEZ 701 N. MILWAUKEE AVENUE UNIT 354

THE 12th DAY OF AUGUST 2025

Published in pamphlet form by the Authority of the President and Board of Trustees of the Village of Vernon Hills, Lake County, Illinois, this 12th day of August, 2025

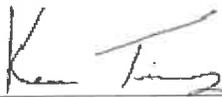
STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, KEVIN TIMONY, CERTIFY THAT I AM THE DULY APPOINTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON AUGUST 12, 2025, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE NO. 2025-092 AN ORDINANCE APPROVING VARIATIONS FROM EXHIBIT F, ZONING, OF THE RIVERTREE MARKETPLACE RPUD (ORDINANCE 563), TO FACILITATE THE DEVELOPMENT OF A DRIVE-THRU RESTAURANT, GUZMAN Y GOMEZ 701 N. MILWAUKEE AVENUE UNIT 354.

THE PAMPHLET FOR ORDINANCE NO. 2025-092 INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY DATED AUGUST 12, 2025 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 12th DAY OF AUGUST, 2025.



Kevin Timony, Village Clerk



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

I, KEVIN TIMONY, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2025-092 AN ORDINANCE APPROVING VARIATIONS FROM EXHIBIT F, ZONING, OF THE RIVERTREE MARKETPLACE RPUD (ORDINANCE 563), TO FACILITATE THE DEVELOPMENT OF A DRIVE-THRU RESTAURANT, GUZMAN Y GOMEZ 701 N. MILWAUKEE AVENUE UNIT 354 TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM AUGUST 12, 2025 TO AUGUST 26, 2025.



Kevin Timony, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 12th DAY OF AUGUST, 2025



Notary Public

